

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CALVIN ROBINSON, JR.,

Plaintiff,

Case No. 20-cv-10499

Hon. Matthew F. Leitman

v.

RYAN CHAPKO,

Defendants.

**ORDER (1) ADOPTING RECOMMENDED DISPOSITION OF REPORT
AND RECOMMENDATION (ECF No. 58); (2) GRANTING DEFENDANT
CHAPKO'S MOTION FOR SUMMARY JUDGMENT (ECF No. 50.); AND
(3) DISMISSING ROBINSON'S CLAIMS**

On February 27, 2020, Plaintiff Calvin Robinson, Jr., filed a *pro se* and *in forma pauperis* complaint in this Court against Defendant Ryan Chapko, a Clayton Township police officer, the Clayton Township Police Department, the Flushing Township Police Department, the City of Flushing Police Department, and the Flint Police Department. (*See* ECF No. 1; ECF No. 5.) In his Complaint, Robinson alleges civil rights violations under 42 U.S.C. § 1983. (*See id.*)

On August 30, 2021, Chapko filed a motion for summary judgment on both of Robinson's claims against him.¹ (Mot., ECF No. 50.) Robinson filed a response

¹ On December 21, 2020, this Court dismissed Robinson's claims against the Clayton Township Police Department, the Flushing Township Police Department, and the City of Flushing Police Department. (*See* Order, ECF No. 35.) Previously,

on September 18, 2021 (Resp., ECF No. 52), and Chapko filed a reply on October 11, 2021 (ECF No. 53).

On October 29, 2021, the assigned Magistrate Judge issued a Report and Recommendation in which he recommended that the Court grant Chapko's motion for summary judgment (the "R&R"). (See ECF No. 58.) At the conclusion of the R&R, the Magistrate Judge informed the parties that if they wanted to seek review of the recommendation, they needed to file specific objections with the Court within fourteen days. (See *id.*, PageID.379.)

Robinson has not filed any objections to the R&R. The failure to object to an R&R releases the Court from its duty to independently review the matter. See *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Likewise, the failure to file objections to an R&R waives any further right to appeal. See *Howard v. Sec'y of Health and Human Servs.*, 932 F.2d 505 (6th Cir. 1991); *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987).

Accordingly, because Robinson has failed to file any objections to the R&R, **IT IS HEREBY ORDERED** that the Magistrate Judge's recommended disposition of the pending motion is **ADOPTED**.

the Court granted Robinson's motion to dismiss the Flint Police Department, whom Robinson had added as a Defendant in his Amended Complaint (ECF No. 5). (See Order, ECF No. 17). Accordingly, Chapko is the sole remaining Defendant.

IT IS FURTHER ORDERED that (1) Chapko's motion for summary judgment (ECF No. 50) is **GRANTED** and (2) Robinson's claims against Chapko are **DISMISSED**.

s/Matthew F. Leitman

MATTHEW F. LEITMAN

UNITED STATES DISTRICT JUDGE

Dated: December 9, 2021

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on December 9, 2021, by electronic means and/or ordinary mail.

s/Holly A. Monda

Case Manager

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